



UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

UNITED STATES OF AMERICA

V.

JOSE VALDIVIA

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§

CASE NO. 1:07-CR-200(2)

**MEMORANDUM ORDER**  
**ADOPTING FINDINGS OF FACT AND RECOMMENDATION**  
**ON DEFENDANT'S GUILTY PLEA**

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for administration of a guilty plea under Rules 11 and 32 of the Federal Rules of Criminal Procedure. Judge Giblin conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his *Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge* [Clerk's doc. #56]. The Magistrate Judge recommended that the Court accept Defendant's guilty plea and conditionally accept the plea agreement. He further recommended that the Court finally adjudge Defendant as guilty on **Count One** of the **Indictment** filed against Defendant in this cause.

The parties have not objected to the magistrate's findings. The Court is of the opinion that the *Findings of Fact and Recommendation on Guilty Plea* should be accepted. It is, therefore,

**ORDERED** that the *Findings of Fact and Recommendation on Guilty Plea* [Clerk's doc. #56] of the United States Magistrate Judge are **ADOPTED**. The plea agreement is conditionally accepted by the Court at this time. It is further **ORDERED** that, in accordance with Defendant's guilty plea and the magistrate's findings and recommendation, Defendant, Jose Valdivia, is hereby adjudged as guilty on **Count One** of the charging **Indictment** charging violations of Title 21, United States Code, Section 841(a)(1).

So **ORDERED** and **SIGNED** this **11** day of **March, 2008**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge